

Ahilan T. Arulanantham (SBN 237841)  
arulanantham@law.ucla.edu  
CENTER FOR IMMIGRATION LAW AND  
POLICY, UCLA SCHOOL OF LAW  
385 Charles E. Young Dr. East  
Los Angeles, CA 90095  
Telephone: (310) 825-1029

Emilou MacLean (SBN 319071)  
emaclean@aclunc.org  
Michelle (Minju) Y. Cho (SBN 321939)  
mcho@aclunc.org  
Amanda Young (SBN 359753)  
ayoung@aclunc.org  
ACLU FOUNDATION  
OF NORTHERN CALIFORNIA  
39 Drumm Street  
San Francisco, CA 94111-4805  
Telephone: (415) 621-2493  
Facsimile: (415) 863-7832

Attorneys for Plaintiffs  
*[Additional Counsel Listed on Next Page]*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, MARIELA  
GONZÁLEZ, FREDDY JOSE ARAPE RIVAS,  
M.H., CECILIA DANIELA GONZÁLEZ  
HERRERA, ALBA CECILIA PURICA  
HERNÁNDEZ, E.R., HENDRINA VIVAS  
CASTILLO, A.C.A., SHERIKA BLANC, VILES  
DORSAINVIL, and G.S.,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as  
Secretary of Homeland Security, UNITED  
STATES DEPARTMENT OF HOMELAND  
SECURITY, and UNITED STATES OF  
AMERICA,

Defendants.

Case No. 3:25-cv-01766-EMC

**DECLARATION OF EMILOU MACLEAN  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR COMPLIANCE WITH COURT  
ORDERS [ECF 279 & 162]**

1 Additional Counsel for Plaintiffs

2 Jessica Karp Bansal (SBN 277347)

3 jessica@ndlon.org

4 Lauren Michel Wilfong (*Pro Hac Vice*)

lwilfong@ndlon.org

NATIONAL DAY LABORER

ORGANIZING NETWORK

1030 S. Arroyo Parkway, Suite 106

Pasadena, CA 91105

Telephone: (626) 214-5689

8 Eva L. Bitran (SBN 302081)

ebitran@aclusocal.org

9 Diana Sanchez (SBN 338871)

dianasanchez@aclusocal.org

10 ACLU FOUNDATION

OF SOUTHERN CALIFORNIA

1313 West 8th Street

Los Angeles, CA 90017

Telephone: (213) 977-5236

13 Erik Crew (*Pro Hac Vice*)

14 ecrew@haitianbridge.org

HAITIAN BRIDGE ALLIANCE

4560 Alvarado Canyon Road, Suite 1H

San Diego, CA 92120

Telephone: (949) 603-7411

**DECLARATION OF EMILOU MACLEAN**

I, Emilou MacLean, declare:

1. I am an attorney at law duly licensed and entitled to practice in the State of California. I am an attorney with the ACLU Foundation of Northern California and counsel of record in this action. I make this declaration in support of Plaintiffs' Motion for Compliance with Court Orders [ECF 279 & 162]. I have personal knowledge of the following facts and, if called as a witness, I could and would testify competently as follows.

2. Prior My co-counsel and I observed that, subsequent to the Supreme Court's grant of Defendants' stay application on October 3, 2025, Defendants updated the USCIS's webpage for Venezuela's TPS designation to state that "TPS beneficiaries who received an Employment Authorization Document on or before February 5, 2025, with a 'Card Expires' date of October 2, 2026, will maintain work authorization until October 2, 2026." Attached as Exhibit A is a true and correct copy of the USCIS webpage regarding Venezuela's TPS designation as it appeared on Tuesday Thursday October 7 at 21:46:50 21:47:59 GMT.

3. On Tuesday, October 7, 2025, my co-counsel Jessica Bansal emailed counsel for Defendants regarding inaccuracies on USCIS's webpage for Venezuela's TPS designation that rendered the webpage inconsistent with this Court's May 30, 2025 Order (ECF No. 162) and September 5, 2025 Order (ECF No. 279). Counsel for Defendants did not respond.

4. On the morning of October 14, my co-counsel and I observed that Defendants had updated the USCIS webpage for Venezuela's TPS designation to state that "[p]ursuant to the U.S. District Court for the Northern District of California's order dated May 30, 2025, if you re-registered under the previously vacated Jan. 17, 2025 Extension of the 2023 Designation of Venezuela, and have a Form I-94 issued with October 2, 2026 expiration dates on or before Feb. 5, 2025, and you have a pending EAD renewal application that was received before Feb. 6, 2025, that notice automatically extends the validity of your EAD issued under the TPS designation of Venezuela with an original expiration date of Sept. 10, 2025 or April 2, 2025 for up to 540 days." Attached as

1 Exhibit B is a true and correct copy of the USCIS webpage regarding Venezuela's TPS designation  
2 as it appeared on Tuesday October 14 at 6 pm GMT.

3 5. On October 14, 2025, Ms. Bansal again emailed counsel for Defendants regarding  
4 this updated information on the USCIS webpage for Venezuela's TPS designation, which is  
5 inaccurate and inconsistent with this Court's May 30 and September 5 orders. Counsel for  
6 Defendants again did not respond.

7 6. On Monday, October 20, when the website had still not been updated, I called  
8 counsel for Defendants to follow up on Ms. Bansal's October 7 and 14 emails. Defendants' counsel  
9 did not provide a substantive response either during or subsequent to the phone call.

10 7. On Tuesday October 21, I emailed counsel for Defendants to notify them of  
11 Plaintiffs' intent to file the instant motion and request Defendants' position on the motion for  
12 compliance as well as Plaintiffs' intended Administrative Motion for Order Shortening Time and  
13 Setting Schedule re: Plaintiffs' Motion for Compliance with Court Orders [ECF 279 & 162].  
14 Defendants' counsel have not substantively responded to either request. Counsel for Defendants  
15 contacted me by telephone at 4 PM and identified that he was waiting for further information from  
16 his client regarding Defendants' response to this request. I have not received any further  
17 communication from Defendants about their position on these motions, or related to the  
18 noncompliance with the Court orders, since that phone call. A true and correct copy of the October  
19 7, 14, and 21 email exchange is attached as Exhibit C.

20 8. Attached as Exhibit D is a true and correct copy of the USCIS webpage regarding  
21 Venezuela's TPS designation as it appears today.

22 I declare under penalty of perjury that the foregoing is true and correct, and that this  
23 declaration was executed in Los Angeles, California this 21st day of October, 2025.

24 /s/ Emilou MacLean

25 Emilou MacLean  
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